

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
v.)	Criminal No. 16-00098-01-CR-W-BP
)	
DAVID A. LAUVER,)	
)	
Defendant.)	

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

PENDING CHARGE: On August 30, 2016, the Grand Jury returned a three count Superseding Indictment against David A. Lauver. **Count 1** charges that on or about November 2, 2015, the defendant knowingly possessed a firearm, which had been transported in interstate commerce. **Count 2** charges that on or about November 2, 2015, the defendant, knowingly and intentionally possessed a quantity of a mixture or substance containing a detectable amount of amphetamine. **Count 3** charges that on or about March 13, 2016, the defendant, knowingly and intentionally possessed a quantity of a mixture or substance containing a detectable amount of amphetamine.

The following matters were discussed and action taken during the pretrial conference:

TRIAL COUNSEL:

Government: Courtney Pratten and Trey Alford
Case Agent: Detective Frank Rorabaugh of the KCMOPD
Defense: Ronna Holloman-Hughes

OUTSTANDING MOTIONS:

09/02/2016	39	NOTICE of filing <i>Notice and Information of Intent to Use Prior Convictions to Enhance Punishment Pursuant to 21 U.S.C. § 851</i> by USA as to David A Lauver (Pratten, Courtney) (Entered: 09/02/2016)
09/06/2016	43	MOTION in limine by David A Lauver. Suggestions in opposition/response due by 9/23/2016 unless otherwise directed by the court. (Holloman-Hughes, Ronna) (Entered: 09/06/2016)
09/06/2016	46	MOTION in limine by David A Lauver. Suggestions in opposition/response due by 9/23/2016 unless otherwise directed by the court. (Holloman-Hughes, Ronna) (Entered: 09/06/2016)

TRIAL WITNESSES:

Government: 6 with stipulations; 7 without stipulations

Defendants: 2-3 witnesses, defendant may testify although it is unlikely he will do so

TRIAL EXHIBITS

Government: 8 exhibits

Defendant: 5 exhibits

DEFENSES: General Denial

POSSIBLE DISPOSITION:

(X) Definitely for trial; () Possibly for trial; () Likely a plea will be worked out

TRIAL TIME: 1 ½ days

Government's case including jury selection: 1 day

Defense case: ½ day

STIPULATIONS: Defendant will stipulate to the interstate nexus of the firearm and to his prior convictions.

UNUSUAL QUESTIONS OF LAW: None

FILING DEADLINES:

Witness and Exhibit List

Government: Friday before the pretrial conference (proposed witness filed 8/30/16 and proposed exhibit list filed 9/2/16)

Defense: Friday before the pretrial conference (both filed 9/2/2016)

Counsel are requested to list witnesses in alphabetical order on their witness list.

Exhibit Index, Voir Dire, Jury Instructions: Noon, Wednesday, September 14, 2016.

Please Note: Jury instructions must comply with Local Rule 51.1

TRIAL SETTING: Criminal jury trial docket set for September 19, 2016.

Please note: Defense counsel requests the first week of the docket so that her investigator can participate in another trial that may be set the second week of the docket.

IT IS SO ORDERED.


SARAH W. HAYS
United States Magistrate Judge